

SWEARS KLOSK GOT \$1,000 GRAFT MONEY

Minisohn Tells of Payment in Building Trades Council Office.

STADTMULLER PRESENT

Went Into Room With Kiosk, Who Had the Cash, Ascertains Witness.

Three of the State's principal witnesses testified yesterday when the trial of Peter Stadtmuller, former lieutenant of Robert P. Brindell, began before Justice John V. McAvoy and a jury in the Criminal Branch of the Supreme Court. Stadtmuller is charged with extorting \$1,000 from Max Minisohn of the Interstate Wrecking Company by threatening to call a strike of house shakers unless the money was paid.

Stadtmuller will testify in his own behalf. Interest in the trial centers largely in what Stadtmuller will tell concerning the operations of the Building Trades Council under Brindell's domination.

Six weeks ago Brindell threatened to cancel the contract for the erection of a building for ball for Stadtmuller unless the latter agreed to plead guilty. Stadtmuller declared his innocence and obtained bail from another source. Even before that incident the two men are said to have quarreled.

Minisohn, who was on the stand yesterday, said he took \$1,000 to the office of the Building Trades Council on September 23, 1920. Stadtmuller, Louis Kiosk, a brick dealer, and several others were present. He gave the money to Kiosk, he said. Stadtmuller and Kiosk went into another room, according to his story, and he assumed Stadtmuller got the money, which was in cash.

Others who testified were Max Halpern, general manager of the H. H. Young Company, a building firm, and Walter Melton, who became Minisohn's partner on a wrecking job in return for furnishing workmen said to be followers of Brindell.

MUNICIPAL BATH HOUSE DECLARED NOT MENACE

Reigelmann Asserts Ward's Charge Is Untrue.

Edward Reigelmann, Borough President of Brooklyn, charged yesterday before the finance and budget committee of the Board of Estimate that the statement of Charles R. Ward, formerly an assistant engineer of the Borough of Brooklyn, that the municipal bath house at Coney Island rendered the building a menace was untrue and was made for the purpose of influencing the city to use crooked bids in the construction of the boardwalk there instead of concrete.

F. H. La Guardia, President of the Board of Aldermen, added that the commercial bathhouse keepers of the resort also were interested in the circulation of the report for the purpose of frightening people from the municipal bathhouse.

Mr. Reigelmann said no money had been spent upon the municipal bathhouse since its construction ten years ago, and that he would not spend money to repair it. Mr. Ward asked that the board wait until examinations of similar concrete work could be made.

Ah, said Mayor Hylan, "behind this policy of waiting I see shadows of some people."

MRS. L. EISSING SCOTT SUICIDE IN BAYSIDE

Wife of Cyril Scott, She Was Once in Chicago Opera.

Mrs. Louise Elsing Scott, the wife of Cyril Scott, actor, committed suicide yesterday afternoon in her home on Ball avenue, Bayside, Queens, by hanging herself from the banister of a staircase on the second floor landing. Her body was found by her husband when he entered the house late in the afternoon.

Mr. Scott said that his wife, who was fifty-two years old, had recently been brooding over the death of her mother, which occurred about two years ago, and had been despondent.

Mrs. Scott was married to Miss Louise Elsing of Philadelphia, where she was a brother and sister living. She appeared on the stage up to twenty years ago, principally in the Chicago Opera House under the management of David Belasco.

She played boy's parts mostly and appeared in "Sindbad the Sailor," "The Crystal Spheres," "All Baba and the Forty Thieves," and other productions. Her husband recently closed an engagement with "In the Night Watch."

DE FILIPIS TO ESCAPE CHARGE OF HOMICIDE

Dineen Says Reliable Evidence Is Insufficient.

The District Attorney's office will place no charge against Giuseppe De Filipis, said by Department of Justice agents to have been identified as the man who drove the wagon in the Wall street bomb plot, Assistant District Attorney Dineen said this announcement yesterday after the arrest of Arthur Carey of the police homicide bureau had questioned five witnesses.

Mr. Dineen said there was not sufficient reliable evidence to support a charge of homicide against De Filipis before the Grand Jury.

Thomas J. Smith, the former city fireman, who thought De Filipis was the man without coat or hat he saw in Wall street following the explosion, will be questioned to-day.

\$68,000 THEFT CHARGED TO POSTAL EMPLOYEES

Held in Connection With Savings Certificates.

Charged in a Federal indictment with robbing the Government of \$68,000 by issuing postal savings bank certificates and pocketing the money, Ralph Rosenberg of 436 Whitlock avenue and James E. Dunlop of 232 West 121st street, formerly clerks in Station 1 of the New York Post Office, at 232 West 116th street, were arraigned yesterday before Judge Larned in the Federal District Court. The men entered pleas of not guilty and were held in \$15,000 bail for trial.

The men were arrested on May 13 by A. J. Feehey, Postal Inspector. Feehey charged them with having taken certificates in denominations of \$100 and multiples thereof up to \$500 from residents of New York City and County, and said, would not come into use in the ordinary course of business for months after the dates on which the clerks issued the certificates.

Those first at the fire said the alarm was given by a seven-year-old gypsy by the name of Muldon. There was a gypsy of that age in the camp, but having helped chase the pigs and chickens and cows and whatnots back to their owners, he was too short of breath to tell whether the alarm was given in a letter or a telephone message. The total damage was \$25,000.

NEED NOT CHANGE YOUR STYLE OF HAIR, LADIES

It isn't necessary to change your present style of hairdressing, if it is becoming, for nothing radical in coiffure changes came to light yesterday at the opening of the third annual exhibition of the American Ladies' Hairdressers' Association at Palm Garden. Nearly every woman demonstrating or looking on wore her hair waved, except eight models who were waiting to have their straight locks put through the permanent process. The event was devoted to displaying various hairdressing styles, and in the afternoon Dr. C. P. Winner of Columbia University talked on scientific hair care. Dr. H. C. Wenzel of Brooklyn was another speaker.

UTTERMYER RESIGNS AS STATE TRUST PROSECUTOR

Continued from First Page.

of guilty in the building materials case. I am satisfied that the result of this and like action will furnish a precedent that will render further prosecutions abortive under the law in its present form. There will have to be amendatory legislation rendering the penalties more drastic and less subject to judicial discretion as to the imposition of prison sentences.

"On my advice the committee has already unanimously agreed to recommend that offenders be punished by imprisonment for not less than six months nor more than three years in addition to a fine of not exceeding \$5,000, and that the court shall have no discretionary power to suspend prison sentences, and is now considering the advisability of recommending to the Governor the calling of a special session to enact this and other important legislation based on defects in the law disclosed by the inquiry. Unless this is done the anti-trust laws had better be wiped out of the statute books. As these laws, Federal and State, are being and have been for many years administered (in the case of many in which the public authorities have enforced them at all), their net result has been, in my opinion, to cancel the benefit of the law and to support a powerful argument in the hands of demagogues and enemies of organized society in favor of the claim that out criminal laws are not enforced."

"I do not understand me. I am far from despairing of controlling this industrial and economic evil. But I am, unfortunately, requiring further legislation to secure adequate punishment, which is the only deterrent to crime, unless the State will change the economic policy, which I believe it will be forced to do. Until that legislation has been secured I can see no substantial public usefulness in further convictions. The fact that the fines collected will aggregate many times the cost of the work of the committee and of the criminal prosecutions constitutes no sufficient reason for continuing on a course that serves only to emphasize the helplessness of the committee and to put an evil, that is striking at the very vitals of industrial freedom."

"Open and Defiant Lawbreakers."

In the particular case disposed of on Monday the defendant gentry were offenders happen to include men of wealth and political influence who have long been open, persistent and defiant lawbreakers. Among them are the manufacturers of brick, who have for years held their grip upon the throats of the public and had refused to relax it even after they were publicly exposed. Their profits were abnormal and extortionate. They are shameless profiteers, who in order to accomplish their purpose limited the output, regulated and fixed prices and practiced extortion in the entire trade and public in every direction.

"Long ago as July, 1919, I had occasion as counsel for the Mayor's Committee on Rent Profiteering, to conduct an examination of the leader of this ring of brick manufacturers, who was among the defendants arrested on Monday, and who besides being the largest manufacturer of brick is one of the most important dealers in New York City. He was a powerful man, and at that time sent to the District Attorney, where they have peacefully reposed in the sacred archives especially reserved for the favored few who are apparently above and beyond the reach of the criminal law."

"Meantime the combination continued merely to work its industry, producing, boosting prices and in a dozen other ways causing the public just as it had done before, except that it went still further to the aid of the defendant, about the time the Lockwood committee came upon the scene these men were exacting \$25 a thousand for brick, which cost them according to their own books, less than \$10 a thousand. These bricks sold in our market for \$5.50 a thousand."

"Shameless Profiteering."

"The element of labor is small in the manufacture of bricks. The clay banks from which the material is taken are the same banks that have been there for

generations, whilst most of the work is done by machinery, so that this industry has not been greatly subject to increased costs. Shameless profiteering and monopoly have been its curses.

"What can we expect from future prosecutions with such precedents staring us in the face? There are hundreds of cases awaiting action and I have no doubt the State can readily collect a few million dollars in fines on pleas of guilty, but that will not abate these intolerable practices that are paralyzing the building industry. The belief that these malefactors can secure immunity by surrendering a pittance of their ill gotten gains if they happen to be trapped will serve only to stimulate them to further violations."

"I did not volunteer and I am not willing to act as a collecting agency for the State in gathering in shreds for permission to persist in flagrant violations of law that are far more perilous to the public welfare and safety than are the aggregate offenses of all the unfortunate inmates of the penitentiary, many of whom yielded under great temptation, whilst these men had no prosecutions with such precedents staring us in the face."

"Pray do not misunderstand me. I am far from despairing of controlling this industrial and economic evil. But I am, unfortunately, requiring further legislation to secure adequate punishment, which is the only deterrent to crime, unless the State will change the economic policy, which I believe it will be forced to do. Until that legislation has been secured I can see no substantial public usefulness in further convictions. The fact that the fines collected will aggregate many times the cost of the work of the committee and of the criminal prosecutions constitutes no sufficient reason for continuing on a course that serves only to emphasize the helplessness of the committee and to put an evil, that is striking at the very vitals of industrial freedom."

"Reign of Lawlessness."

"I am, of course, willing, if you so desire, to continue in general charge of the prosecutions of the pending indictments, but I am hoping that you will agree with me that the presentation to the grand jury of the numerous cases we now have in hand is hardly worth while under existing conditions. The proposed changes in the law by which the imposition of prison sentences will be made obligatory on the courts will, if enacted, do more within twenty-four hours after it goes into effect to put an end to this almost universal reign of lawlessness in the building industry than any amount of prosecutions followed by pleas of guilty and anti-climaxes in the city. Such cases as that of Peter Stadtmuller, who was Robert P. Brindell's right hand man and whose trial for alleged extortion is now going on, should be so requested by the Attorney-General."

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BROADWAY SPEAKER DEFIES POLICE WARNING

Native of India Draws Big Thrill Before Arrest.

Haridas Muzumbar of 22 West 130th street, who said he was born in India and is an artist's model, was told by the police last night he could not conduct a street meeting and sell books on Broadway because of the heavy traffic, but after being warned from one corner of Forty-fifth street he went across Broadway and started another meeting on another corner. He spoke loudly, denouncing England and urging freedom for Ireland and India, and soon had a crowd of about 1,000 persons about him. Patrolman Knudsen of the West Forty-seventh street station told Muzumbar that it was against the law to hold meetings on Broadway, but the man persisted and the policeman placed him under arrest. Muzumbar appealed to the crowd to help him, but most of the crowd laughed, though a few booed the policeman. Knudsen rapped for help and was answered by Patrolman John Walsh, who helped take Muzumbar to the West Forty-seventh street station, where he was charged with disorderly conduct.

BROUGH IS PRESIDENT.

Magistrate Alexander Brough was elected president of the New York Conference of Charities and Corrections for the coming year at the final session of the twelfth annual meeting yesterday. Other officers chosen were vice-presidents, Mrs. Charles Cary Rumsey, Walter N. Rothchild and Thomas F. Farrell; treasurer, Bailey R. Burritt; secretary, Mary C. Tinney; assistant secretaries, Samuel Goldsmith, Mary R. Mason and Helen P. McCormick.

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STILLMANS NEARER SUIT'S SETTLEMENT

Continued from First Page.

into her alleged relations with the banker.

Mrs. Leeds's Position.

Mrs. Leeds, in the opinion of lawyers, actually has been placed in the position of being a defendant in the suit and of being the subject of attack, without the opportunity of defending herself beyond a denial of the allegations. She was to have been a witness if Mrs. Stillman's lawyers succeeded in serving a subpoena on her, in which event her life would be the subject of the most searching examination on the part of the battery of lawyers mobilized in Mrs. Stillman's defense.

From a source that always has been considered most reliable comes the word that Mr. Stillman did not know what next to expect. One woman had been named in the "affirmative defense" of his wife, two others, according to the report, were to be named when the defense opened its case and detectives were busy delving into the alleged relations of the banker with a score of other women.

Most prominent among the latter was a nurse, who, it is said, nursed Mrs. Stillman in her illness at his home in Pleasantville, N. Y. Mrs. Stillman, it is understood, was absent from the estate at the time. Sometime after Mr. Stillman's convalescence this woman is reported to have tried several times to see the banker at his office in the National City Bank Building.

On one of these visits the woman is said to have been so insistent about seeing the banker that the latter directed a guard to place her in a taxicab and take her to an apartment house on the upper West Side. She is reported to have tried to get into the taxicab, but a pistol was held up to her and she was told to get out. She is said to have told the guard the weapon had not been carried by her for the purpose of defense.

A child later was born to this woman, a reliable informant states, but it is not known whether the baby now is dead or alive. Soon afterward a suit was threatened against Mrs. Stillman, in which two checks figured. One is understood to have been for \$5,000 and the other for \$2,500. These checks, it is said, were signed by the banker's attorneys. All of the details concerning the transaction are known to Mrs. Stillman's lawyers.

When the subject of a settlement first was suggested to Mrs. Stillman, she carried with it a proviso that virtually exiled her from the United States for five years. The interpretation placed upon this proviso, which was turned down, is that the banker wished to have this separation used as the basis for a desertion charge in a possible future action that would be begun by either himself or Mrs. Stillman. Mrs. Stillman was to live in Paris.

JUDGE HART CONFIRMS STILLMAN SETTLEMENT

Wife Will Be Victor, Says Buffalo Surrogate.

Special Despatch to THE NEW YORK HERALD. BUFFALO, May 23.—Judge Louis G. Hart, Surrogate of Erie county, confirmed to-day the report that the Stillman case is about to be settled out of court. While he refused to discuss the matter in detail, he intimated that the result would be in favor of Mrs. Stillman. He said that Mr. Stillman will admit the parentage of baby Guy and allow Mrs. Stillman approximately \$90,000 a year alimony.

It was learned that Surrogate Hart has been trying for several months to bring about a settlement. While not an attorney of record, Mr. Hart has been working with the opposing forces to stop the last hearing before Referee Gleason during which Dr. Hugh L. Russell, the Buffalo osteopath, declared that Mrs. Stillman admitted to him, while in Buffalo, that she was a French-Canadian half-breed, and not her husband was the father of baby Guy.

Despite the report and confirmation that plans for a settlement of the Stillman case were fast maturing, friends of Mrs. Stillman are continuing their preparation for the cross-examination of Dr. Russell when the hearing is resumed before Referee Gleason. A series of private investigations into the life of Dr. Russell have been conducted. Investigations have been conducted at Stanhope, N. J., and Dewey and Lancaster, N. C., near Buffalo where Dr. Russell is said to have resided. This information is being assembled here and Dr. Russell will be questioned about it when he takes the stand.

Yacht Sails; Stillman Stays.

Special Despatch to THE NEW YORK HERALD. NEWPORT, R. I., May 23.—James A. Stillman's power yacht, *Modesty*, which has been named after the wife of the New York Yacht Club station here for the last three weeks, has left this port for a cruise. The "owner ashore" pennant was still flying when she left.

To Sell Safe Deposit Boxes.

No opposition having been entered in the Supreme Court to the petition of George W. McLaughlin, State Superintendent of Banks, for permission to sell the contents of thirty-two unclaimed safe deposit boxes from the defunct Northern Bank, Justice Whitaker granted the request and an auction sale will be advertised for the near future, as required by law.

Southern Railroads Are Doing Their Part in Bringing the North and South Together.

I know from an experience of over 20 years what wonderful progress the railroads of the South have made. While never before going as far south as Miami, I have traveled over the Southern roads many times, and I remember distinctly on my first trips to Pinehurst, N. C., the trains arrived there many hours late frequently, due to lack of up-to-date equipment. The same trains that in past years took 24 hours or more to go from New York to Pinehurst now cover the same distance between the hours of 2:05 P. M. one day and 7:30 A. M. the next day.

On our trip to Miami I could not help comparing the present fine service with the former inefficient service. Certainly a great evolution has taken place in railroading through the South.

Not only have the railroads been compelled to meet the demand made on them by the hundreds of thousands of people that annually visit Miami and other Southern cities, but they have had to equip themselves to transport to the markets of the country the tremendously increased production of the progressive South.

At Savannah, Georgia, we bought a copy of the Saturday, May 14th, issue of the Florida Times-Union (Jacksonville) in which we read the following statistics regarding shipment by rail of Florida prod-

MIAMI AND MONTRAY

Names that are united to bring happiness and prosperity to many people.

Article No. 2—By William C. Freeman

(Will mail first article on request)

Ignoring the superstition about starting anything on Friday, the 13th, a party of three of us left New York on that May day for Miami, Florida.

Our trip proved that there is no "jinx" whatever associated with Friday, the 13th. Our journey on the train was very comfortable, free from dirt, dust and heat, and we arrived in Miami in good time, safe and sound, which proves that every day and everything is all right, if we only think so.

There is another thing we people of the North must get out of our heads, and that is the idea that Miami, Florida, nearly 1,400 miles south of New York City, is hot and uncomfortable from the first of May until the first of November.

Probably nine in every ten persons in New York City and vicinity think the only time of the year one can really be comfortable in Miami is during the Winter. It is absurd to think this as to think that Friday, the 13th, is a hoodoo.

The facts about the Miami climate are that only once since the Weather Bureau established a station there 16 years ago has the thermometer registered as high as 96 degrees, and only twice during this period has it registered as low as 32 degrees.

Heat of 96 degrees in Miami is not felt nearly as much as 88 degrees would be felt in New York City, Boston, Philadelphia or Chicago.

Why is this so? Because there are continuous breezes from the Atlantic Ocean and Biscayne Bay.

As an illustration: On Monday, May 16th, with the thermometer registering 88 degrees, I wore the same Spring suit I wear in New York and I did not feel the heat nearly as much as I did on several of the warm days we had the latter part of March and early April of this year—and I was not taking things easy either; I was hustling around "to beat the band" and I weigh, unfortunately, 230 pounds.

"Miami's Breezes Cool But Do Not Chill Because of God's Radiator in the Atlantic."

The above quotation came from the lips of William Y. C. Humes, one of the vice-presidents of the Montray Corporation, New York and Miami, as he, my secretary and I sat on the wide piazza of the Halcyon Hotel, waiting for rooms to be assigned to us soon after our arrival in Miami and after I had remarked about the delightful, refreshing breeze that was blowing from Biscayne Bay, two blocks away.

I guess you never before heard the Gulf Stream referred to as "God's Radiator," but that's what it is; don't you think so? And for that reason, I am quoting what Mr. Humes said, so that you may have something to remember and appreciate as associated with Miami.

It is a great thing to be permitted to live in a spot so greatly favored, where one, in all seasons of the year, may get exhilaration from delightful breezes that are always tempered with comfort and never with discomfort or danger to health.

When my secretary told Mr. Humes and me what the lady had said to her we asked to be introduced, because we scented a good story for Miami.

In this way we met Mr. and Mrs. J. L. Hudson.

Mrs. Hudson told us she had visited her sister, Mrs. C. H. Cotton, who, with her husband and children, had moved from St. Petersburg, on the west coast of Florida, to Miami, on the east coast, because they liked the climate of Miami better and also because the enterprise of Miami afforded the husband better business opportunities.

During their short stay in Miami the Hudsons bought a lot, 50x150 feet, paying a little over \$1,100 for it, and immediately contracted to build thereon a modern 8-room bungalow, with garage.

To illustrate how great is the demand for real estate in Miami and its suburbs, the Hudsons told us they could have made a net profit of nearly \$2,000 (almost 200 percent) had they been willing to accept an offer which was made them to sell shortly after the purchase of their lot.

The Hudsons told us they had bought other lots, FOR INVESTMENT PURPOSES, before returning North, and that they expect to continue to buy Miami real estate because they realize that the remarkable growth of Miami during the past ten years is a certain indication of the enhancement of real estate values that must take place during the next decade.

The experience of the Hudsons is similar to that of almost everybody visiting Miami.

ucts, from Sept. 15, 1920, the beginning of the season, up to May 18th inclusive:

Grapefruit.....	Total cars shipped	12,431
Oranges.....	" " "	20,370
Potatoes.....	" " "	2,236
Lettuce.....	" " "	2,657
Vegetables.....	" " "	3,080
"	" "	1,400
Tomatoes.....	" " "	3,960
Celery.....	" " "	4,070
Strawberries.....	" " "	100
Pineapples.....	" " "	70
Watermelons.....	" " "	